

Remarks

Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. Claims 1, 6, 11, 16, and 17 have been amended. No claims have been added or canceled; claims 1-17 are pending.

Objections

The drawings, abstract, and specification were objected to for various informalities. All have been amended as required by the Examiner and new copies of the amended figure and abstract have been included in the appendix.

Claim Rejections - 35 U.S.C. § 102(a)

Claims 1, 6, and 11

The Examiner rejected claims 1, 6, and 11 as being anticipated by Orfali, et al. (US Publication: "Client/Server Survival Guide", 1999, Pages 127-201, Third Edition, Publisher: John Wiley & Sons, USA). The applicant submits, however, that *Orfali* does not anticipate the claims because it does not disclose the limitation relating to forwarding the packet with a client messaging application as recited in the claims.

Claim 1 recites:

generating a packet with a local application in response to a predetermined event;
storing the packet locally;
forwarding the packet with a local client messaging application to a server messaging application on a server via a network connection managed by the client messaging application; and
dispatching the packet with the server messaging application to a messaging handler on the server that processes the packet.

Thus, the applicant claims generating and storing a packet locally. The packet is forwarded with a local messaging application to a server via a network connection managed by the local messaging application. The packet is dispatched with a server messaging application to a server messaging handler. Claims 6 and 11 similarly recite local generation and storage of a message. The local messaging application forwards the message to a server.

Thus, the claims describe a packet being forwarded across a network. However, the applicant submits that Fig. 7-14 of *Orfali* shows a fundamentally different situation. *Orfali* illustrates a series of network communications between various parties on a broad level, but does not disclose the claimed applications that operate to forward each packet.

With reference to Fig. 7-14, Jeri and the Store cannot be considered together as a single client with Jeri acting as the application that creates the packet and the Store acting as the client messaging application because the Store is not local to where the packet was created; the packet had to cross a network to arrive at the Store. It follows that the Store could not have acted as a client messaging application to manage the network connection wherein Jeri's packet was transmitted because the Store was at the receiving end of the packet. Rather, the Store is a messaging server that receives Jeri's packet from across the network and later becomes the client of a separate transaction when it sends a packet across a network to the Bank.

Orfali does not disclose what computer applications Jeri uses, as the client, to create packets when communicating with the Store. Nor does *Orfali* disclose whether each packet-creating application leaves the complexity of forwarding messages, by

managing the network connection with the non-local Store, to a client messaging application, as recited in the claims.

For at least the reason that *Orfali* does not disclose the limitation of claims 1, 6, and 11 regarding the forwarding of the packet with a client messaging application, as discussed, *Orfali* does not anticipate claims 1, 6, and 11.

Claims 4, 9, and 14

The applicant submits that *Orfali* does not anticipate claims 4, 9, and 14 for at least the reason that they depend from and include the limitations of independent claims 1, 6, and 11, respectively.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 2, 3, 5, 7, 8, 10, 12, 13, and 15

Claims 2, 3, 5, 7, 8, 10, 12, 13, and 15 were rejected as being unpatentable over *Orfali*. However, each of these claims depends from and inherits the limitations of an independent claim discussed above. As set forth previously, *Orfali* does not teach every limitation of the claims from which these claims depend and, for at least that reason, the Examiner has not established a prima facie case of obviousness as required by M.P.E.P. § 2143.03.

Furthermore, claims 5, 10, and 15 were rejected as being unpatentable over *Orfali* in view of *Trenbeath et al.* (US Patent No. 6,324,587). Claims 5, 10, and 15 include the method, article, and computer signal comprising dropping the packet from the local storage in response to the acknowledge message being received by the messaging client application. *Trenbeath* does not teach the principle of removing a message, but rather the

principle of removing data attached to or associated with the message. Moreover, *Trenbeath* does not teach that such action is to be taken upon an acknowledge message being received by the messaging client application [see *Trenbeath*, col.6 lines 32-38].

Claims 16 and 17

Claims 16 and 17 were rejected as being unpatentable over *Orfali*. Claims 16 and 17 include network architectures comprising server electronic systems having multiple processors that run a messaging server that receives forwarded messages and dispatches them to a messaging handler on the server which processes the messages in a predetermined manner. The applicant submits that *Orfali* does not disclose such a network architecture because it would be an unreasonable interpretation of *Orfali*, Fig. 7-14, to consider Jeri and the Store together as a single client and the Bank and Visa together as a single server, as discussed in more detail with respect to claim 1. For at least the reason that *Orfali* does not teach the elements of claims 16 and 17 as cited by the Examiner, the applicant submits that the claims are not rendered obvious by the reference.

CONCLUSION

For at least the foregoing reasons, the applicant submits that the rejections have been overcome. Therefore, claims 1-17 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

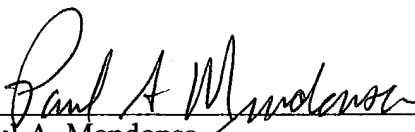
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Application No. 09/748,085
Amendment dated June 14, 2004
Response to Office Action of March 12, 2004

Atty. Docket No. 042390.P9719
Examiner Anthony Ton
TC/A.U. 2661

Respectfully submitted,
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Date: JUNE 14, 2004

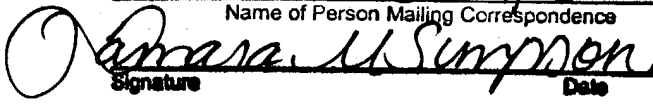

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